

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
2 SKYLINE, 10th FLOOR
5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

December 21, 2000

PORTABLE ROCK PRODUCTION CO.,	:	EQUAL ACCESS TO JUSTICE
Applicant	:	PROCEEDING
	:	
v.	:	DOCKET NO. EAJ 2001-1
	:	
SECRETARY OF LABOR,	:	Formerly WEST 99-309-M
MINE SAFETY AND HEALTH	:	A. C. No. 35-02761-05521
ADMINISTRATION (MSHA),	:	
Respondent	:	Sears Road Pit

DECISION APPROVING SETTLEMENT

Before: Judge Melick

This case is before me upon an application for fees and expenses under the Equal Access to Justice Act, 5 U.S.C. § 504. The parties have filed a motion to approve a settlement agreement and to dismiss the case upon Respondent’s payment of \$13,000.00.

WHEREFORE, the motion for approval of settlement is **GRANTED**, and it is **ORDERED** that Respondent pay the amount of \$13,000.00, within 30 days of this order. These proceedings are accordingly dismissed in accordance with the joint request of the parties.

Gary Melick
Administrative Law Judge

Distribution:

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